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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF WASHINGTON – SPOKANE
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14 JOANN WAITE, an individual

15 Plaintiff,

16 vs.

17 GONZAGA UNIVERSITY, a
18 nonprofit corporation

19 Defendant.
20
21

Case No. 2:17-cv-416-SAB

PLAINTIFF'S AMENDED WITNESS
LIST

22
23 Plaintiff, through their attorney of record, Heather C. Barden of Barden &
24 Barden, provide the following list of lay and expert witnesses:
25
26

LAY WITNESSES

1. Plaintiff Joann Waite:

Ms. Waite may testify regarding her interaction with employees at Gonzaga University (“Gonzaga”) in relation to her legal claims against Gonzaga.

2. Angela Swan, former Benefits and Accommodation Specialist for Gonzaga:

Ms. Swan may testify regarding her interactions with Ms. Waite in establishing Ms. Waite’s ergonomic accommodations and the rescinding of Ms. Waite’s ergonomic accommodations. Ms. Swan may testify to her interactions with Ms. Waite regarding her service dog Maddie. Ms. Swan may testify to her interactions with Ms. Waite regarding her second L&I claim in February 2017, and Ms. Swan’s reports to L&I regarding Ms. Waite’s L&I claim in February 2017. Ms. Swan may testify to interactions (and inactions) with Ms. Waite regarding her complaints of pain after being issued an ill-fitting desk and chair after her ergonomic workstation equipment was confiscated by Ms. Swan.

3. Christine Purviance, Director of Equity and Inclusion at Gonzaga:

Ms. Purviance may testify regarding her interactions with Ms. Waite regarding placing her on compulsory administrative leave for using Gonzaga’s printer, parking in the Crosby visitor parking, having Maddie at work, Ms. Waite use of “Maddie (The Bulldog of Gonzaga)” Facebook page, etc. Ms. Purviance may testify to the extension of Ms. Waite’s compulsory administrative leave after Ms. Waite complained of discriminatory behavior to herself and other employees at Gonzaga. Ms. Purviance may testify to interactions (and inactions) with Ms. Waite regarding her complaints of pain after being issued an ill-fitting desk and chair after her ergonomic workstation equipment was confiscated by Ms. Swan. Ms. Purviance may testify to situations that constitute placing employees at Gonzaga on administrative leave.

4. Ron Large, Associate Academic Vice President of Religious Studies at Gonzaga:

1 Mr. Large may testify regarding his interactions with Ms. Waite regarding
 2 placing her compulsory administrative leave for using Gonzaga's printer,
 3 parking in the Crosby visitor parking, having Maddie at work, Ms. Waite use
 4 of "Maddie (The Bulldog of Gonzaga)" Facebook page, etc. Mr. Large may
 5 testify to the extension of Ms. Waite's compulsory administrative leave after
 6 Ms. Waite complained of discriminatory behavior to herself and other
 7 employees at Gonzaga. Mr. Large may testify to his interactions (and
 8 inactions) with Ms. Waite regarding her ergonomic accommodation while
 9 she was employed at Gonzaga; her complaints to Mr. Large of women over
 10 40 years old being discriminated and retaliated against at Gonzaga; and her
 11 complaints of discrimination to her by Gonzaga.

12 **5. Paul Bracke, Dean of the Library at Gonzaga:**

13 Mr. Bracke may testify to his interactions (and inactions) with Ms. Waite
 14 regarding her ergonomic accommodation while she was employed at
 15 Gonzaga; her complaints of women over 40 years old being discriminated
 16 and retaliated against at Gonzaga; and her complaints of discrimination to
 17 her by Gonzaga. Mr. Bracke may testify to interactions (and inactions) with
 18 Ms. Waite regarding her complaints of pain after being issued an ill-fitting
 19 desk and chair after her ergonomic workstation equipment was confiscated
 20 by Ms. Swan. Mr. Bracke may testify regarding his interactions with human
 21 resources regarding information of Ms. Waite's complaints of pain with the
 22 ill-fitting desk and chair that was issued to her after her ergonomic
 23 workstation equipment was confiscated.

24 **6. Kirk Wood-Gaines, former Assistant Vice President of Human
 25 Resources at Gonzaga:**

26 Mr. Wood-Gaines may testify regarding his interactions with Ms. Waite, or
 other human resource employees, regarding placing Ms. Waite on
 compulsory administrative leave for using Gonzaga's printer, parking in the
 Crosby visitor parking, having Maddie at work, Ms. Waite use of "Maddie
 (The Bulldog of Gonzaga)" Facebook page, etc. Mr. Wood-Gaines may
 testify to the extension of Ms. Waite's compulsory administrative leave after
 Ms. Waite complained of discriminatory behavior to herself and other
 employees at Gonzaga. Mr. Wood-Gaines may testify to interactions (and
 inactions) with Ms. Waite regarding her complaints of pain after being issued
 an ill-fitting desk and chair after her ergonomic workstation equipment was
 confiscated by Ms. Swan. Mr. Wood-Gaines may testify to situations that

constituted placing employees at Gonzaga on administrative leave. Mr. Wood-Gaines testify to other departments that received ergonomic workstation equipment.

7. Patricia O’Connell Killen, Former Academic Vice President of Gonzaga:

Ms. Killen may testify regarding interactions with Ms. Waite, or other Gonzaga employees, regarding placing Ms. Waite on compulsory administrative leave for using Gonzaga’s printer, parking in the Crosby visitor parking, having Maddie at work, Ms. Waite use of “Maddie (The Bulldog of Gonzaga)” Facebook page, etc. Ms. Killen may testify to the extension of Ms. Waite’s compulsory administrative leave after Ms. Waite complained of discriminatory behavior to herself and other employees at Gonzaga. Ms. Killen may testify to interactions (and inactions) with Ms. Waite regarding her complaints of pain after being issued an ill-fitting desk and chair after her ergonomic workstation equipment was confiscated by Ms. Swan. Ms. Killen may testify to situations that constituted placing employees at Gonzaga on administrative leave. Ms. Killen testify to other departments that received ergonomic workstation equipment.

8. Kathleen Hill, Sponsored Research and Programs (“SRP”) Process Manager at Gonzaga:

Ms. Hill may testify to witnessing Ms. Waite being discriminated and retaliated against in relation to Ms. Waite’s legal claims against Gonzaga. Specifically, the compulsory administrative leave that Ms. Waite was placed on and Ms. Hill’s complaints to human resources (specifically Ms. Purviance) regarding Gonzaga’s adverse actions towards Ms. Waite, Ms. Hill, and others. Ms. Hill may testify to Ms. Waite receiving an ill-fitting desk and chair after Ms. Waite’s ergonomic workstation equipment was confiscated by Ms. Swan.

9. Diane Farrell, Program Coordinator at SRP at Gonzaga:

Ms. Farrell may testify to witnessing Ms. Waite being discriminated and retaliated against in relation to Ms. Waite’s legal claims against Gonzaga. Specifically, the compulsory administrative leave that Ms. Waite was placed on and Ms. Farrell’s complaints to human resources (specifically Ms. Purviance) regarding Gonzaga’s adverse actions towards Ms. Waite. Ms.

Farrell may testify to Ms. Waite receiving an ill-fitting desk and chair after Ms. Waite's ergonomic workstation equipment was confiscated by Ms. Swan. Ms. Farrell may testify to other departments that received ergonomic workstation equipment.

10. Faith Gilbert, Institutional Review Board Compliance Coordinator at Gonzaga:

Ms. Gilbert may testify to witnessing Ms. Waite being discriminated and retaliated against in relation to Ms. Waite's legal claims against Gonzaga. Specifically, the compulsory administrative leave that Ms. Waite was placed on and Gonzaga's adverse actions towards Ms. Waite. Ms. Gilbert may testify to Ms. Waite receiving an ill-fitting desk and chair after Ms. Waite's ergonomic workstation equipment was confiscated by Ms. Swan. Ms. Gilbert may testify to other departments, including herself, that received ergonomic workstation equipment.

11. Laura A. "Susie" Prusch, former Director of Academic Events at Gonzaga:

Ms. Prusch may testify regarding Gonzaga's policies during her employment at Gonzaga and discrimination as it relates to Ms. Waite's legal claims against Gonzaga.

12. Summer Berry, former Head of Costuming/Marketing PR Coordinator/Adjunct Instructor of Theatre Arts & Dance at Gonzaga:

Ms. Berry may testify regarding Gonzaga's policies during her employment at Gonzaga, and discrimination as it relates to Ms. Waite's legal claims against Gonzaga.

13. Evan Waite

Mr. Waite may testify to the emotional distress and pain and suffering Ms. Waite endured while employed at Gonzaga University, and to the discrimination and retaliation she suffered as it relates to her claims against Gonzaga University.

14. Elly Waite-Schumacher

1 Elly Waite may testify to the emotional distress and pain and suffering Ms.
2 Waite endured while employed at Gonzaga University, and to the
3 discrimination and retaliation she suffered as it relates to her claims against
Gonzaga University.

4 **15. Rose Williamson**

5 Ms. Williamson may testify to the emotional distress and pain and suffering
6 Ms. Waite endured while employed at Gonzaga University, and to the
7 discrimination and retaliation she suffered as it relates to her claims against
8 Gonzaga University.

9 **16. Benjamin Williamson**

10 Mr. Williamson may testify to the emotional distress and pain and suffering
11 Ms. Waite endured while employed at Gonzaga University, and to the
12 discrimination and retaliation she suffered as it relates to her claims against
Gonzaga University.

13 **17. Sarah Williamson-Bernardo**

14 Ms. Williamson-Bernardo may testify to the emotional distress and pain and
15 suffering Ms. Waite endured while employed at Gonzaga University, and to
16 the discrimination and retaliation she suffered as it relates to her claims
17 against Gonzaga University.

18 **18. Katie Smith-Williamson**

19 Ms. Smith-Williamson may testify to the emotional distress and pain and
20 suffering Ms. Waite endured while employed at Gonzaga University, and to
21 the discrimination and retaliation she suffered as it relates to her claims
against Gonzaga University.

22 **EXPERT WITNESSES**

23 **1. Robin M. Nagel, MS, CDMS**

24 Ms. Nagel may testify relating to her qualifications and experience in
25 human resources, specifically in relation to the ADA. Ms. Nagel may be
26 called to testify regarding Defendant's behavior towards the Plaintiff in

1 relation normal human resource industry standards. Ms. Nagel may also
 2 testify to any other subjects or opinions referenced in her report and/or
 3 subsequent deposition testimony, including reasonable inferences that may
 arise.

4 **2. Erick West, M.A.:**

5 Mr. West may testify relating to his qualifications and experience as a
 6 forensic economist. Mr. West may be called to testify regarding Plaintiff's
 7 damages related to the present case. Mr. West may also testify to any other
 8 subjects or opinions referenced in his report and/or subsequent deposition
 testimony, including reasonable inferences that may arise.

9 **3. Cecelia Lauder, MD:**

10 Dr. Lauder is a treating doctor of Plaintiff's and has been since her first Labor
 11 and Industries (L&I) claim through Defendant in 2013. Dr. Lauder may be
 12 called to testify regarding the delay in 2013/2014 for the Plaintiff's needed
 13 ergonomic accommodation as requested by Dr. Lauder. Dr. Lauder may be
 14 called to testify regarding the delay in Plaintiff getting her accommodation
 15 in 2016/2017, after the Defendant confiscated the accommodation in
 16 September 2016. Dr. Lauder may testify to Defendant's retaliation regarding
 17 Plaintiff's 2017 L&I claim through Defendant. Dr. Lauder may testify to
 18 Plaintiff's compounded depression, anxiety, and health related to her work
 environment at Gonzaga. Discovery has not been conducted to this witness,
 therefore the Plaintiff reserves the right to solicit testimony from Dr. Lauder
 as to any matter within the realm of her expertise that is reasonably related
 to the issues pending in this lawsuit.

19 **4. Sonya Wood, PhD Licensed Psychologist:**

20 Dr. Wood is a treating doctor of Plaintiff's and has been since May 2017.
 21 Dr. Wood may testify to Plaintiff's compounded depression, anxiety, and
 22 health related to her work environment at Gonzaga. Dr. Wood may be called
 23 to testify regarding her letter dated April 18, 2018 advising that the Plaintiff
 24 not return to Gonzaga for employment due to the negative impact on
 25 Plaintiff's psychological health. Discovery has not been conducted to this
 26 witness, therefore the Plaintiff reserves the right to solicit testimony from
 Dr. Wood as to any matter within the realm of her expertise that is reasonably
 related to the issues pending in this lawsuit.

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2 **5. Angelique G. Tindall, PhD:**

3 Dr. Tindall was a treating physician for Plaintiff and performed a
4 neuropsychological evaluation on April 18, 2017 concerning Plaintiff's post-
5 concussive syndrome related to her fall at Gonzaga on February 15, 2017.
6 Dr. Tindall may be called to testify regarding Plaintiff's psychological
7 evaluation concerning: pain, depression, anxiety, cognitive changes,
8 behavioral observations, cognitive functioning, emotional/behavioral
9 functioning, and Dr. Tindall's impressions and recommendations regarding
10 the above mentioned. Dr. Tindall may be called to testify that she referred
11 Plaintiff to psychological counseling due to her increased anxiety and
12 depression, speech difficulties, vestibular therapy, and physical therapy—
13 post February 15, 2017 fall. Discovery has not been conducted to this
14 witness, therefore the Plaintiff reserves the right to solicit testimony from
15 Dr. Tindall as to any matter within the realm of her expertise that is
16 reasonably related to the issues pending in this lawsuit.

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18 **RESERVATIONS**

19 Plaintiffs reserves their right to amend this disclosure and to call any witness
20 listed on any witness disclosure provided by any other party, or any witness
21 subsequently revealed through further investigation.
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23 Dated this 2nd of September, 2019.

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, Heather C. Barden, certify that on September 2, 2019 I caused the above document to be electronically filed with the Clerk of the Court using the CM/ECF System that automatically generates a Notice of Electronic Filing to all parties that are registered users of the CM/ECF System.

I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

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